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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,706	09/23/2003	Amit Kalhan	UTL 00295	2211

7590 11/21/2006

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EXAMINER	
BAYARD, EMMANUEL	
ART UNIT	**PAPER NUMBER**
2611	

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/668,706	KALHAN, AMIT	
	Examiner	Art Unit	
	Emmanuel Bayard	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: in line 11 after delay replace "." With --;--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2, 4 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 2 recites the limitation "the pseudo-random code offset" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 4 recites the limitation "the timing of the spreading code" in line 2. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 11 recites the limitation "the pseudo-random code offset " in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Moon U.S. patent No 6,405,047 B1.

As per claims 1, 6-7 are Moon teaches a method of improving signal acquisition in a digital communication system comprising the steps of: (a.) determining a position of a mobile station (see fig.1 and col.2, lines 33-36 and col.4, lines 66-67 and col.10, lines 39-44); (b.) determining a relative position of the mobile station relative to a base station (see col.3, lines 13-18 and col.4, lines 15-20, 60-63 and col.10, lines 48-53); (c.) estimating a chip delay based on the relative positions of the base station and the mobile station (see col.5, lines 23-55); (d.) adjusting the signal acquisition based on the estimated chip delay (see col.1, lines 55-65 and col.7, lines 13-55 and col.8, lines 1-25).

As per claim 2, Moon teaches wherein the adjusting step (d.) includes changing the pseudo-random code offset (see col.1, lines 55-65 and col.7, lines 15-20).

As per claim 3, Moon teaches including the additional steps of: (e.) receiving base station position and storing base station position (see col.10, lines 21-45).

As per claim 4, Moon teaches 1 wherein the estimated chip delay is used to estimate the timing of the spreading code (see col.1, lines 55-65).

As per claim 5, Moon teaches including the additional steps of: (e) determining the movement is the same as the claimed (velocity) (see col.5, lines 23-27); (f) updating the chip delay estimate based on velocity (see col.5, lines 49-55).

As per claim 8, 13 and 15-17, Moon teaches mobile station comprising: a position determination device (see fig.8 element 860 and col.10, lines 5-10); a controller is the same as the claimed (processor) (see fig.8 element 850 and col.10, lines 8-15) coupled to the position determination device and configured to perform the following steps: (a.) determining a position of a mobile station (see fig.1 and col.2, lines 33-36 and col.4, lines 66-67 and col.10, lines 39-44) from the determination device; (b.) determining a relative position of the mobile station relative to a base station (see col.3, lines 13-18 and col.4, lines 15-20, 60-63 and col.10, lines 48-53); (c.) estimating a chip delay based on the relative positions of the base station and the mobile station (see col.5, lines 23-55); (d.) adjusting the signal acquisition based on the estimated chip delay (see col.1, lines 55-65 and col.7, lines 13-55 and col.8, lines 1-25); a memory coupled to the processor (see col.10 line 45); a transceiver coupled to the processor and configured to transmit and receive signals (see fig.6 element 613); a first antenna coupled to the position determining device (see fig.4 element 200); a second antenna coupled to the transceiver (see fig.4 element 410); a mobile power source configured to power the processor (see col.1, lines 35-36 and col.2, lines 22-25) ; a case enclosing the processor is inherently taught by Moon (see fig.8);

As per claim 9, Moon inherently teaches wherein the first antenna and the second antenna are the same antenna.

As per claim 10, Moon teaches wherein the mobile station is a mobile handset (see fig.4 element 200).

As per claim 11, Moon teaches the adjusting step (d) includes changing the

pseudo-random code offset.

As per claim 12, Moon teaches wherein the position-determining device is a device that uses global positioning satellite signals to determine position (see col.1, lines 31-32).

As per claim 14, Moon inherently teaches the first antenna and the second antennas are single antenna.

As per claim 15, Moon inherently teaches wherein the mobile station is a first mobile station and the position-determining device is a second mobile station that transmits position to the first mobile station.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Riley et al U.S. Pub No 2003/0054813 A1 teaches a system and method for identification of transmitters.

Yoo et al U.S. Patent No 6,085,091 teaches a method for controlling hand off.

Lavean U.S. Pub No 2005/0220051 A1 teaches an orthogonal code synchronization system.

Dent U.S. Patent No 5,670,064 teaches navigation assistance.

Chaudry et al U.S. Patent No 6,577,616 B1 teaches a systems and methods for implementing large CDMA.

Shin U.S. Patent NO 6,075,900 teaches a Handoff control method.

Hussain et al U.S. Patent No 6,351,644 B1 teaches a system, method and apparatus to prepare base transceiver.

Goldman U.S. Patent No 6,016,322 teaches method and apparatus for self-synchronization.

Wheatley U.S. Pub No 2006/0040616 A1 teaches a method and apparatus for determining repeater.

Chen et al U.S. Patent No 7,113,538 B1 teaches time diversity.

Lavean U.S. Patent No 6,898,197 B1 teaches geolocation of a mobile terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is 571 272 3016. The examiner can normally be reached on Monday-Friday (7:Am-4:30PM) Alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571 272 2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Emmanuel Bayard
Primary Examiner
Art Unit 2611

11/17/06

EMMANUEL BAYARD
PRIMARY EXAMINER